IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE S.SIRI JAGAN

WEDNESDAY, THE 25TH JULY 2007 / 3RD SRAVANA 1929

WP(C).No. 26063 of 2006(C)

PETITIONER:

M.C. NARAYANANKUTTY, AGED 34 YEARS,
GENERAL CONVENER, THRISSUR DISTRICT ACTION COUNCIL
SREE PANDARA CHETTI SAMUDHAYAM
OFFICE: MANIKKYATHODIYIL HOUSE, THALAPPILLY TALUK,
P.O. CHERUTHURUTHY, THRISSUR DISTRICT,
PIN-679 531.

BY ADV. SRI.P.A.CHANDRAN
SRI.R.PREM SANKAR

RESPONDENTS:

1. STATE OF KERALA,
REPRESENTED BY THE CHIEF SECRETARY TO
GOVERNMENT OF KERALA, GOVERNMENT SECRETARIAT,
THIRUVANANTHAPURAM.

2. THE TAHSILDAR,
THALAPPILLY TALUK, TALUK OFFICE,
WADAKKANCHERRY P.O., THRISSUR DISTRICT.

3. VILLAGE OFFICER,
CHERUTHURUTHY & NEDUMPURA VILLAGE OFFICES,
P.O. CHERUTHURUTHY, THALAPPILLY TALUK,
THRISSUR DISTRICT.

4. VILLAGE OFFICER,
PANJAL VILLAGE, P.O. CHERUTHURUTHY,
THALAPPILLY TALUK, THRISSUR DISTRICT.

5. THE DIRECTOR,
KERALA INSTITUTE FOR RESEARCH, TRAINING &
DEVELOPMENT STUDIES OF SCHEDULED CASTE AND
SCHEDULED TRIBES (KIRTADS), KOZHIKODE-17.

BY G.P. SHRI.M.R.SABU

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 25/07/2007 THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

W.P(C).No. 26063/06.

APPENDIX

PETITIONER'S EXHIBITS:

P1. COPY OF THE SCHOOL CERTIFICATE OF THE CONVENOR OF THE PETITIONER ORGANIZATION.

P1A. COPY OF THE COMMUNITY CERTIFICATE ISSUED BY R4.

P2. COPY OF THE -DO- R3 DTD.21.1.2006.

P3. COPY OF THE SCHOOL RECORD OF M.C.NARAYANANKUTTY.

P4. COPY OF THE REPLY DTD.27.8.05.

P5. COPY OF THE RECEIPT DTD.22.7.05 BY R4.

P6. COPY OF THE REPRESENTATION DTD.18.7.06 TO R1.

P6A. COPY OF THE POSTAL ACKNOWLEDGMENT BY R1.

Sdk+

///True copy///

P.A. to Judge.

S.SIRI JAGAN, J.

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W.P.(C).No.26063 of 2006

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Dated this the 25th day of July, 2007

J U D G M E N T

The petitioner claims to be the General Convenor of an action council stated to be for protection of interests of members of a caste known as "*Sree Pandara Chetti"*, which is included in the approved list of Other Backward Communities published by the Government. However, unfortunately for the members of the caste, in documents like Ext.P1 school record the petitioner's community is shows as "*Kurikkal*". The petitioner's contention is that this is a mistake, since there is no caste by name "*Kurikkal*" in existence. The petitioner, therefore, approached the 1st respondent to issue an order clarifying that the sect of people described as "*Kurikkal*" is actually "*Sree Pandara Chetti"*. The petitioner also seeks a direction to respondents 2 to 4 to issue a clarification certificate to those members of the "Sree Pandara Chetti" caste in whose school record it is inadvertently entered as caste's name as "*Kurikkal"* clarifying that "*Kurikkals*" are "*Sree Pandara Chettis*".

2. I have considered the contentions of the petitioner. The petitioner himself admits that there is no caste by name, "*Kurikkal*". That being so, the respondents cannot, under law, issue any clarification saying that the name, "*Kurikka*l" represents "*Sree Pandara Chetti*" caste. The only remedy available to the petitioner is to get the school records of the members corrected to show their caste's name as "*Sree Pandara Chetti*" instead of "*Kurikkal*". Without prejudice to such right, this writ petition is dismissed.

Sd/-

sdk+ S.SIRI JAGAN, JUDGE

///True copy///

P.A. to Judge.